

#18

Docket No.: K2580.0072/P072  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

---

In re Patent Application of:  
Fumihiro ShigenagaBatch No.: G98  
Allowed: May 31, 2001

Application No.: 09/598,544

Art Unit: 2837

Filed: June 21, 2000

Examiner: S. Hsieh

---

For: HIGH HAT STAND PROMPTLY  
RESPONSIVE TO PLAYERS FOOTING

---

**PETITION TO WITHDRAW APPLICATION FROM  
ISSUE PURSUANT TO 37 CFR 1.313(c)(2)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn: Office of Petitions  
Crystal Plaza 4  
Room 3C23

FAX RECEIVED  
OCT 03 2003  
PETITIONS OFFICE

Dear Sir:

Petitioner hereby petitions the Commissioner to withdraw the above-identified application from issue. The Issue Fee in this application was timely paid on August 28, 2001. Applicants are presently awaiting action be taken on a Petition to Withdraw Holding of Abandonment that was filed on November 6, 2001 and are filing this paper to insure that the application, once revived, does not issue before consideration of the art cited in the accompanying Information Disclosure Statement.

Please charge our Credit Card in the amount of \$130.00 covering the fee set forth in 37 CFR 1.17(h) or (i). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed.

Application No.: 09/598,544

Docket No.: K2580.0072/P072

Petitioner respectfully petitions that the above-identified application be withdrawn from issue in order to permit consideration of a submission under 37 CFR 1.114 (Request for Continued Examination with an Information Disclosure Statement) that is being filed concurrently herewith.

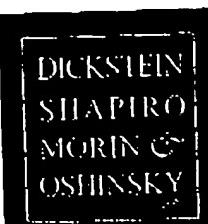
The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2215, under Order No. K2580.0072/P072.

Dated: October 2, 2003

Respectfully submitted,

By Joseph W. Ragusa  
Joseph W. Ragusa  
Registration No.: 38,586  
DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP  
1177 Avenue of the Americas  
41st Floor  
New York, New York 10036-2714  
(212) 835-1400  
Attorney for Applicant

# FAX TRANSMISSION

DATE: October 3, 2003CLIENT NO.: K2580.0072

Legal Innovators

MESSAGE TO: Ms. Karen CreasyCOMPANY: PTO/Office of PetitionsFAX NUMBER: 703-308-6916

PHONE: \_\_\_\_\_

FROM: Joseph W. Ragusa/RebeccaPHONE: (212) 896-5452PAGES (Including Cover Sheet): 44 HARD COPY TO FOLLOW: YES  NO

|          |  |            |  |
|----------|--|------------|--|
| SENT BY: |  | DATE/TIME: |  |
|----------|--|------------|--|

**MESSAGE:**

Attached is a duplicate of a Petition to Withdraw Application from Issue Pursuant to 37 CFR 1.313(c)(2), a Request for Continued Examination (RCE), an Information Disclosure Statement (with 3 references) that were hand filed today in the USPTO.

Note that authorization to charge the fees to our credit card was included with the hand filing.

Joseph W. Ragusa  
Reg. No.: 38,586

FAX RECEIVED

OCT 03 2003

PETITIONS OFFICE

If your receipt of this transmission is in error, please notify this firm immediately by collect call to our Facsimile Department at 212-835-1454, and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.